

REMARKS

Claims 1-4 have been examined. With this amendment, Applicant adds claims 5 and 6. Support for these claims may be found at least at page 26 of the Specification and Fig. 6. Claims 1-6 are all the claims pending in the application.

I. Formalities

Applicant thanks the Examiner for acknowledging Applicant's claim for priority and confirming receipt of the priority document submitted on December 8, 2000.

Applicant also thanks the Examiner for indicating that the Formal Drawings filed on December 8, 2000 have been accepted.

Finally, Applicant thanks the Examiner for initialing and returning a copy of the form PTO-1449 submitted with the Information Disclosure Statement filed on July 8, 2002.

II. Claim Rejections - 35 U.S.C. § 103

The Examiner has rejected claims 1-4 under 35 U.S.C. 103(a) as being unpatentable over Proehl *et al.*, (US 6,577,350) ["Proehl"] in view of Takahashi *et al.*, (US 6,344,880) ["Takahashi"]. For at least the following reasons, Applicant traverses the rejection.

Claim 1 recites a program guide displaying apparatus that comprises "a program information displaying device for displaying ... programs [that] are distinguishable from each other by colors set for respective genres of the programs for a first time range ... and a first channel." The Examiner concedes that Proehl fails to explicitly disclose this feature, but the Examiner applies Takahashi to allegedly cure the deficiency. The Examiner contends that it would have been obvious for one skilled in the art to combine the references to permit users to

readily identify the program genres, provide detailed explanations of selected programs and to simultaneously display programs on the screen. Applicant disagrees.

Takahashi merely discloses a method for displaying information icons corresponding to broadcasting channels. That is, EPG information shown in FIGS. 4A-4C, 5A-5C, 10, 11A-11C, 12A-12C, 13A-13B, 15A-15B, 16A-16B is just information relating to broadcasting stations corresponding to the respective channels (see col. 6, lines 16-67, and col. 10, lines 10-20). For example, when a user subscribes some broadcasting channels, these channels may be displayed with icons as shown in FIGS. 4A-4C. The information shown in FIGS. 4A-4C merely indicates which broadcasting channels the user can watch. If the user chooses one of the icons shown in FIG 4A, he can watch the program of the channel. The icons shown in FIG 4A are not for a “channel range” in which the program is broadcast and a “time range” corresponding to when the program is broadcast. Takahashi discloses that the arrangement of the information icons in one embodiment is random and even when arranged by genre, there is no disclosure that the arrangement is for a “channel range” or a “time range” (see col. 11, lines 4-11).

Thus, Takahashi does not teach or suggest the feature “said program information displaying device displays the program information in such a manner that the program are distinguishable from each other by colors set for respective genres of the programs for a first time range on a time axis and a first channel range on a channel axis in the first display mode and that the programs are distinguishable from each other by at least program names of the programs for a second time range, which is narrower than the first time range, on the time axis and a

second channel range, which is narrower than the first channel range, on the channel axis in the second display mode” as set forth in claim 1.

Accordingly, without any suggestion in Takahashi that the information icon arrangement in Fig. 4A may be based on a time range and a channel range, the Examiner’s contention that one skilled in the art would have combined the references is not supported since there is no disclosure or suggestion that the arrangement of the displays of Proehl and the arrangement of the information icons in Takahashi are related absent improper hindsight reconstruction. Thus, the Examiner’s proffered reason for combining is also not supported and is not evidence in the record as required by *In re Zurko*, 59 USPQ2d 1693 (Fed. Cir. 2001).

In addition, the Examiner also concedes that Proehl does not disclose the claimed range displaying device, the claimed movement specifying device and the claimed moving device as set forth in claim 1. However, the Examiner contends that Takahashi allegedly cures this deficiency. Applicant disagrees.

Takahashi does not teach or suggest that the claimed moving and the claimed displaying of the claimed program table range be “for a distance equivalent to a predetermined number of unit-time-periods in a time axis direction and a predetermined number of channels in a channel axis direction” as set forth in claim 1. Since these features are similar to the claimed time range and the claimed channel range given above, Applicant submits that the teachings of Proehl and Takahashi (taken alone or in combination) do not disclose every element of claim 1 for at least reasons similar to those given above. Therefore, the Examiner has not made a *prima facie* case of obviousness, and Applicant submits that claim 1 is allowable.

Because claim 3 recites features similar to those given above with respect to claim 1, Applicant submits that claim 3 is patentable for at least reasons similar to those given above with respect to claim 1.

Claim 2 recites a program guide displaying apparatus that comprises a program table comprising “a plurality of program cells which are displayed in such a manner that the programs are distinguishable from each other by colors set for respective genres of the programs for a first time range on a time axis and a first channel range on a channel axis.” Because this feature is similar to that given above with respect to claim 1, Applicant submits that the Examiner’s combination of Proehl and Takahashi is impermissible hindsight for at least reasons similar to those given above with respect to claim 1.

Because claim 4 recites features similar to those given above with respect to claim 2, Applicant submits that claim 4 is patentable for at least reasons similar to those given above with respect to claim 2.

III. New Claims

With this amendment, Applicant adds claims 5 and 6. Applicant submits that these claims are patentable at least by virtue of their respective dependencies and also because Proehl and Takahashi (taken alone or in combination) do not teach or suggest that “the second display mode corresponds to a subset of the program table range displayed on the first display mode” as set forth in claim 5 and 6.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: December 7, 2004